

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	CASE NO.: 2:05-CR-122-T
)	
MATTHEW LEO KELLEY.)	

**MOTION TO EXTEND AUGUST 3, 2005 MOTION DEADLINE
AND PRETRIAL CONFERENCE**

COMES NOW the Defendant, Matthew Leo Kelley, and moves this Court to grant this Motion to Extend August 3, 2005 Motion Deadline and Pretrial Conference, and respectfully proffers the following as grounds in support:

1. This Court's present motion deadline is set for August 3, 2005, with pretrial conference set for August 8, 2005.
2. That the undersigned counsel is concurrently in a capital murder trial in Lee County, Alabama (State of Alabama v. James E. Gary, CC-02-488-492) and is unable to comply with the present motion deadline.
3. The undersigned respectfully requests that this Court issue him a reasonable extension, not to exceed five (5) days, to complete the Defendant's pre-trial motions in the above-styled case in order that the Defendant's rights may be adequately safeguarded.
4. Kent B. Brunson, Assistant United States Attorney, has been contacted date of this motion and has no objection to the continuance of this matter.

WHEREFORE, Defendant Matthew Leo Kelley and the undersigned Counsel request this Court to grant this Motion to Extend August 3, 2005 Motion Deadline and Pretrial Conference and allow him a reasonable time to complete the necessary pre-trial

motions in this case, not to exceed five (5) days, and to prevent any prejudice to the Defendant in this matter.

RESPECTFULLY SUBMITTED, on this the 3rd day of August 2005.

/s/Richard K. Keith

RICHARD K. KEITH

(KEIT3566)

Attorney for Defendant Kelley

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CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Kent Brunson, Esq.
Assistant U.S. Attorney
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Kevin Butler, Esq.
First Assistant Federal Defender
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/s/Richard K. Keith

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Attorney for Defendant Kelley